IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Civil Writ Petition No. 918 of 2004 (S/S)
(Old No. 823 of 1998)

1. Gokul Chand
   S/o Sri Laxmi Dutt
2. Vinod Kumar
   S/o Sri Krishna Nand
3. Prem Singh
   S/o Dan Singh
4. Chanchal Singh
   S/o Har Singh
5. Jeewan Singh
   S/o Sri Padam Singh
6. Jagdish Chand Upadhyay
   S/o Har Govind
7. Suresh Chand Joshi
   S/o Khayali Ram Joshi
8. Harish Singh
   Narayan Singh
9. Devki Nandan
   S/o Bhairav Dutt
10. Mainauddin
    S/o Sri Kitabddin
11. Geeta Sutha
    D/o Sri Ambadutt Sutha
12. Smt. Preema Takuli
    D/o Sri Kailash Singh
13. Kushal Singh
    S/o Sri Dalip Singh
14. Devi Dutt Bhatt
    S/o Sri Gopal Dutt
15. Prakash Chandra
    S/o Sri Bachi Ram

…….. Petitioners

Versus

1. The State
   through Principal Secretary,
   Public Works Department,
   Civil Secretariat, Janpath, Lucknow.
2. Engineer-in-Chief
   Public Works Department
   96, Mahatma Gandhi Marg, Lucknow.
3. Superintending Engineer,
   Nirman Khand –I, Public Works Dept.
   Nainital.

4. Executive Engineer
Nirman Khand-I, Public Works Dept.
Haldwani.
5. Superintending Engineer,
National Highway, P.W.D., Dehradun.
6. Executive Engineer,
National Highway, P.W.D. Haldwani,
Nainital.

……. Respondents

Mr. S. S. Chaudhary, learned counsel for the petitioners.
Mr. N.P. Sah and Mr. Harendra Belwal, Standing Counsel for respondents.

Hon'ble Prafulla C. Pant J.

Heard learned counsel for the petitioners and learned Standing Counsel for the State.

2) By means of this writ petition, the petitioners have sought their regularization in service. The petitioners are Chowkidars, Beldars and Mates, on daily wages, with Public Works Department.

3) In view of the principle of law laid down in ***Secretary State of Karnataka Vs. Uma Devi, reported in (2006) 4 Supreme Court Cases page 01,*** that workers on daily wages or the persons who get employed without following regular selection process, should not be permitted to be absorbed against the Constitutional Scheme of public employment, this Court is not inclined to issue direction to regularise services of the petitioners.

4) Therefore, the writ petition is dismissed. Interim orders dated 27.02.1998, and 17.12.2004 stand vacated. (All pending applications in this Petition also stand disposed of).

(Prafulla C. Pant, J.)

Dt.: November 13, 2006
H.Negi